

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
SAKEENA SIMS,

Plaintiff,

-v-

NEW YORK CITY DEPARTMENT OF PARKS AND :
RECREATION, :

Defendant. :
----- x

08 Civ. 5741 (JSR)

ORDER

USDC SDNY
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JED S. RAKOFF, U.S.D.J.

On May 11, 2009, the Honorable Theodore H. Katz, United States Magistrate Judge, issued a Report and Recommendation in the above-captioned matter recommending that this Court dismiss without prejudice plaintiff's Amended Complaint, which alleges violations by defendant of Title VII of the Civil Rights Act of 1964 and the Americans with Disabilities Act, for failure to timely effect service of process and failure to state a claim for relief.

Plaintiff has failed to file any objection to the Report, and therefore has waived any right to review by this Court. See Thomas v. Arn, 474 U.S. 140, 147-48 (1985); Mario v. P & C Food Markets, Inc., 313 F.3d 758, 766 (2d Cir. 2002); Spence v. Superintendent, Great Meadow Corr. Facility, 219 F.3d 162, 174 (2d Cir. 2000). Accordingly, the Court hereby adopts the Report and Recommendation, and, for the reasons therein, dismisses the complaint without prejudice. The Clerk of the Court is directed to enter judgment.

SO ORDERED.


JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
January 5, 2010